

PATENT

Attorney Docket No. MTI-31529

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Ronald A. Weimer
Serial No. : 09/935,255
Filing Date : August 22, 2001
For : Method of Composite Gate Formation
Group Art Unit : 2813
Examiner : CHEN, Jack S. J.
Confirmation No. : 1208

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CERTIFICATION UNDER 37 CFR 1.3(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being transmitted to Fax No. 703-872-9306 addressed to Examiner CHEN at the US Patent and Trademark Office.

Date: 10-28-04

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Examiner's Office Action mailed October 6, 2004, in the above-identified patent application.

Response to Restriction begins on *page 2* of this paper.

Serial No. 09/935,255

*Response Restriction Requirement*Response to Restriction Requirement.

In response to the Examiner's action, Applicant again elects Group I — Claims 1-27, 73-85, and 97-112, and the following species identified by the Examiner, with traverse based on Applicant's earlier presented comments:

IA-5: Specific partial pressure (i.e., 10^{-2} or less)

IB-5: Remote microwave plasma source

IC-1: Polysilicon

JD-1: Silicon dioxide

IE-5: SiH₄

IF-1: N₂

Applicant hereby amends the listing of claims readable on the elected species as follows: Claims 1-11, 14, 16-23, 25-26, 73-76, 80-85, 97-99, 103-107, 109-110, 112.

Applicant also amends the listing of the generic claims as follows: Claims 1, 8, 73.

Applicant notes that the election of species is solely to facilitate an examination search, and that Applicant will be entitled to consideration of claims to additional species upon allowance of a generic claim. It is understood that if the claims of the elected species are found allowable over the prior art, the Examiner will expand the search to include other species.

Extension of Term. The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. If any extension and/or fee are required, please charge Account No. 23-2053.

The Examiner is urged to telephone the undersigned Attorney if any questions should arise or further discussion would expedite the examination of the application.

Respectfully submitted,



Kristine M. Strothoff, Reg. No. 34,259

Dated: October 28, 2004
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